

MONTANA LEGISLATIVE HISTORY

Chapter 393 1975

Bill H 480 S _____ Original bill & history ✓ c

H. Committee on Agriculture, Livestock, Irrigation S. Committee on Agriculture, Livestock, Irrigation

Hearing Date(s) 2/6 _____ c

Hearing Date(s) 3/14 _____ c

2/14 _____ c

3/19 _____ c

_____ c

_____ c

_____ c

_____ c

Date Out 3/19 _____ c

Did this bill originate in an interim committee? _____ Yes _____ No

Committee _____

Report _____

Original minutes and exhibits are located at
Montana Historical Society Archives.

1 *(House)* BILL NO. *480* *John Mulak*
 2 INTRODUCED BY *Gallagher, Casey, Asher, Spitz, Couray*
 3 *Scull, Fleming, Halperin, Aglaos, Brown*
 4 A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 5 ~~82A-1303~~, R.C.M. 1947, TO INCREASE THE MEMBERSHIP OF THE
 6 BOARD OF LIVESTOCK; TO PROVIDE FOR THE QUALIFICATIONS OF
 7 MEMBERS OF THE BOARD; TO PROVIDE FOR REPLACEMENT OF EXISTING
 8 MEMBERS AS THEY VACATE OFFICE; TO PROVIDE FOR
 9 DISQUALIFICATION FOR CONFLICTS OF INTEREST; AND PROVIDING
 10 FOR AN IMMEDIATE EFFECTIVE DATE."
 11
 12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
 13 Section 1. Section 82A-1303, R.C.M. 1947, is amended
 14 to read as follows:
 15 "82A-1303. Board of livestock -- composition. (1)
 16 There is a board of livestock.
 17 (2) The board consists of ~~six (6)~~ seven (7) members
 18 appointed by the governor with the consent of the senate. A
 19 ~~member shall be a resident of this state and the owner of~~
 20 ~~cattle, sheep, or horses in this state.~~ Each member shall be
 21 a resident of the state and an active livestock producer. A
 22 member shall be appointed upon the recommendation of the
 23 related industry and shall have the following
 24 qualifications:
 25 (a) two (2) are cattle producers, one (1) from each

1 congressional district within the state;
 2 (b) one (1) is a dairy producer representing the dairy
 3 and poultry industry;
 4 (c) one (1) is a swine producer;
 5 (d) one (1) is a sheep producer;
 6 (e) one (1) is an independent livestock feeder; and
 7 (f) one (1) is a licensed livestock market operator or
 8 a licensed order buyer and dealer.
 9 An appointee is vested with all the powers and duties
 10 of his office before being confirmed by the senate, as are
 11 directors in section 82A-106 (2).
 12 ~~(3) The governor shall designate the chairman of the~~
 13 ~~board. The board shall select a chairman from its own~~
 14 ~~membership annually.~~
 15 (4) A member shall serve for a term of six (6) years.
 16 (5) Members of the board shall be reimbursed and
 17 compensated as are members of quasi-judicial boards in
 18 section 82A-112 (1) (e).
 19 (6) No more than four (4) members shall be from the
 20 same political party."
 21 Section 2. A member of the board on the effective date
 22 of this act shall continue in office until his term expires.
 23 Upon the expiration of the term of a member, or if a member
 24 resigns or otherwise vacates his office, the governor shall
 25 appoint as a new member, or as a replacement, a person.

1 qualified under the provisions of section 32A-1303 and not
2 then represented on the board. Each new member shall be
3 appointed for a full term and each replacement member shall
4 be appointed to fulfill the term of the member replaced.
5 Section 3. Effective date. This act is effective upon
6 passage and approval.

-End-

HOUSE OF REPRESENTATIVES
AGRICULTURE, LIVESTOCK & IRRIGATION COMMITTEE
February 6, 1975

A meeting of the Agriculture, Livestock & Irrigation Committee was held at 7:30 p.m. on February 6, 1975 in the House Chambers of the State Capitol. All members were present except Rep. Kummerfeldt.

The only bill to be heard was House Bill No. 480, sponsored by Rep. Ellerd. Rep. Ellerd opened in support of the legislation, outlining the duties of the Livestock Board. He also proposed a small amendment, see attached sheet. The Board as proposed would have 7 members, from the following areas: 2 cattle producers, one dairy producer, one swine producer, one sheep producer, one independent feeder, and one market operator. Sen. Paul Boylan then spoke, addressing the present setup as regulation without representation. Bill Tatarka, representing 47 belt producers from Darigold Farms, said that the dairy industry in Montana is very large. Milan Dickenson from Gallatin County also spoke up in favor of the bill. Mr. Everett Smortland, from the Montana Farm Bureau, then gave a short talk on the bill's merits, see attached statement. Clyde Jarvis also spoke in favor of House Bill No. 480; the Montana Farmers Union feels that if the Board of Livestock is really going to do the job, they must have some representation. This has for a long time been controlled by a little power clique. Mr. Earl Britton also appeared in support of this legislation; see attached statement. Gene Donaldson, Montana Pork Producers, -- times have changed but the statutes haven't. At one time there were only one or two hog farmers in the state but now it is a full-scale industry. Rep. Edward Lien, representing himself and the Montana Cattlemen's Association, couldn't in good conscience oppose this bill. By broadening the Board it would actually help maintain a separate livestock Department in Montana. Robert Ward, National Farmers Organization--there has been a safeguard built into the bill that would protect each segment of the industry. Rep. Hager spoke for the poultry industry for Montana. Mr. Eugene Walker also spoke up, see attached statement. Mr. A. G. Lee, Jr. says there is no problem in making the Board larger to accommodate more complete representation. Allen Scollard spoke also for the dairy producers of Gallatin County. There were no further proponents.

Mr. Bill MacKay, Montana Stockgrowers Association, feels that the Board has served the livestock industry well in the past years. It would be hard to pick the people who would serve on the Board if it were changed, also. Next, Mr. Walt Johnson, also from the Stockgrowers Assoc., passed out some handouts and explained them. Dr. A. F. Hayes, representing the Montana Stockgrowers and also the Executive Board of the Montana Veterinarians Association, has been on the scene for 35 years. The other areas' presence on the Board will not serve disease control. He presented a letter from Dr. Ward of Hamilton. Mrs. B. J. Burns also spoke for the Cow Belles of Montana in opposition to this bill, see attached statement. Mr. Chuck Jarecki, Western Montana Stockmen's Association, representing 1200 members, felt that if the proponents were really sincere in their efforts they would put their share of the funding in also. We are all regulated by boards that we don't have any say on, that's just the way things are. John Morse Jr., Southwestern Stockgrowers, representing 350 members, strongly opposed the bill. Former senator H. S. Hibbard from Helena spoke for the sheep

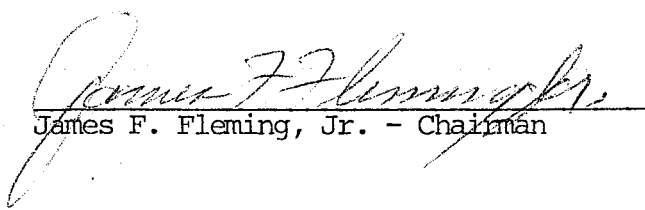
industry. He feels that the sheep industry has been well served by the Board of Livestock. The Governor's office has also extended them the opportunity to suggest replacement Board members when the situation has come up. He thinks that cattlemen are entitled to more than two seats on the Board. Mr. John Crock read two statements from Dairy producers in opposition to the change. Mr. Bill Ross, from Chinook, also feels that the present set-up is good the way it is. Mr. Fred Johnston, Chairman of the Board of Livestock, then presented a chart showing income comparisons. He pointed out that many of the proponents of this bill have had personal complaints with the Board and this is possibly one of their motives. The bill adds special interest groups to the Board. The person being regulated should not do the regulating himself. Mr. MacKay closed with the statement that because of the large percentage of money the beef livestock producers contribute, they should have more than two members on the Board.

Rep. Ellerd then came back with the rebuttal. He had talked to a lot of veterinarians who had in fact wanted to serve on the Board. It would be good to have a veterinarian on the Board who was a livestock producer just so that he could be a help in giving advice -- all of the people these opponents say they are representing is not accurate either; he himself had talked to several members of the Stockmen's Assoc., etc., who were in fact not opposed to this bill. He stressed that the opposition had been unfair in their accusations about who contributed money and who didn't.

Questions followed. Mr. Britton spoke up and stressed the fact that the market has in fact contributed money. Mr. MacKay stressed that they would like at least a majority of beef producers on the Board. Mr. MacKay said that feeders, etc., at the present could be appointed on the Board by the Governor as the law is. Rep. Ellerd then asked him why, when names were submitted for consideration were they not considered. Mr. MacKay had no answer. Other questions were also discussed.

The meeting was then adjourned.

Respectfully submitted,


James F. Fleming, Jr. - Chairman


Debbie Schara - Secretary

TESTIMONY ON HOUSE BILL 480
HOUSE AGRICULTURE COMMITTEE
House Chambers, 7:30 p.m., Thursday, February 6, 1975

Mr. Chairman, Members of the Committee, my name is Everett Snortland, Executive Legislative Director for the Montana Farm Bureau Federation. I am here this evening for the purpose of supporting the principles contained in HB 480.

As you know, the Montana Farm Bureau Federation is a general farm organization that represents all segments of agriculture throughout the length and breadth of our great nation. Therefore, we feel very strongly that anything which will benefit the agriculture producer should be encouraged.

We understand there are problems relative to this particular procedure in that it would have the tendency to dilute the strength the livestock industry has had relative to controlling the Board of Livestock. We also understand there are certain facets of the bill that are somewhat questionable as far as appropriations are concerned. That is, at the moment the livestock industry is supplying the overwhelming majority of the money to finance the present Board of Livestock. We would hope that some reasonable approach could be taken to alter that situation so far as practicable. We feel it would be better for the livestock industry; that is, dairy, poultry, swine, sheep and livestock feeders, should have a way to have one committee they can work with instead of having a committee on the statewide basis for each of the various livestock producing groups.

We are not desirous of having the Agriculture Department and the Livestock Department as a joint venture. On the contrary, we believe this to be an approach if it can be worked out equitably which would alleviate the necessity for the two being tied together.

We understand the livestock producers feel very strongly this would be a significant departure from the procedure which now exists. We agree and we sympathize with them but we would hasten to point out that the differences of opinion should not be acute as it

relates to swine, sheep or livestock feeders just as examples. We, quite frankly, cannot see a reason for any major conflict. We do, however, wish to acknowledge the fact that the overwhelming majority of the money to finance such a program is coming directly from the livestock producer.

Mr. Chairman, Members of the Committee, we wish to reemphasize our position relative to the fact that we are not endorsing a joint Livestock-Agriculture Department approach in delineating our reasons for considering the principles involved in this bill. If such a move were made in this legislative assembly, we would be in opposition to any such endeavor.

In closing, we wish to reiterate our position of supporting agriculture generally. We do not feel as though this is a threat to the livestock industry. We do think that it is possible for the different segments of the industry to work compatibly.

Mr. Chairman, Members of the Committee, if this bill can be construed as a true representation of the agricultural community as it relates to the livestock industry, we have no objection. If, on the other hand, it is construed as an effort to consolidate the livestock and agriculture departments, we again emphasize the fact that we would oppose any such move.

WITNESS STATEMENT

Name Ernest D. Miller
 Address 1001 1st St. N. W.
 Representing Washington State
 Which Bill ? W-17

Date _____
 Support ? ☒
 Oppose ? _____
 Amend ? _____

Comments:

Some years ago the livestock board was formed. It has since then, in many times they have maintained the position that is protected the Washington State. They have even tried to make it worse making our own citizens.

Washington never seemed to have the board to dominate it. He wanted to be an at to supply some valuable goods. However that all happened in the stock industry might understand with other problems later.

More than half of the market were ago. Livestock producers. It was a good thing. However, it was the stockman who the Washington. He says that with all of this livestock problem and all with all of this cattle. For this reason I think that a producer marketman would be an asset to the livestock board.

Please leave prepared statement with the committee secretary.

BEST COPY
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WITNESS STATEMENT

Name Eugene D. Walker
Address Box 26
Representing Montana Cattleman's Ass.
Which Bill ? H.B. 480

Date 2-6-75
Support ? ☒
Oppose ? ☐
Amend ? ☐

Comments:

~~I would like~~

I am supporting H.B. 480. It is
apparent that we need wider
representation on the Livestock Commission,
as they govern a broader ~~scope~~ of livestock
than is represented by the Montana
stock growers.

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Please leave prepared statement with the committee secretary.

STATE OF MONTANA

1. 17 Plants (Industry)
 2. 10 Producer Distributors
 3. 52 Jobbers
 4. 303 Grade A Dairy Producers
 5. 20,464 Grade A Cows
 6. 224,986,950.00 lbs. Grade A Milk
 7. Above worth \$19,551,366.00 at Farm
 8. Over \$40,000,000.00 Industry Wide
- Manufacturing milk(cheese and butter) not included above.

AGRICULTURE RATING IN ORDER
OF VALUE TO STATE OF MONTANA
(not confirmed)

1. WHEAT
2. LIVESTOCK
3. DAIRY
4. Etc...
5. Etc...

NAME _____ BILL No. 27

ADDRESS _____ DATE _____

WHOM DO YOU REPRESENT? _____

SUPPORT? Support OPPOSE? _____ AMEND? _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

As a ^{dairy} farmer I have been, over the years, affected by decisions made by the Livestock Industry Board. Yet my interests are not being represented on this Board. I feel that all segments of livestock production whether it be dairy, beef, hogs, sheep or chickens should be represented. We have a number of members who are well qualified and would come very well to the Committee.

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NAME Mrs. Harold Fryslie BILL NO. 480
ADDRESS 1111 N. 7th DATE 2/6/75
Bozeman, Montana
WHOM DO YOU REPRESENT? Montana Cattlemen's Assoc

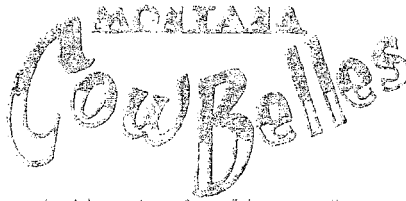
SUPPORT? X OPPOSE? _____ AMEND? _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

This effort contained in the HB 480 puts
the democratic operation of our govern-
mental system back into equal perspective,
ie; that of representation of members
of all segments of the industry who
are ~~active~~ producers of that industry.

When taking the term "livestock" as an descriptive
term, it would take inclusively cattle, sheep, ~~horses~~
and ~~swine~~; therefore, fair practice would dictate
that ^{there is a need for} equal representation to consider the regulations
that determine the direction and purposes
of this industry. We certainly must recognize
that agriculture is the number one industry
in the state of Montana and livestock makes
up a large segment of that industry and,
therefore, the vital importance of the decisions
of the regulatory body would have a great
bearing on the impact and success of
the livestock industry and equal representatives
would be the democratic and logical way of governing
this Board.

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Mrs. Christine - Members of the Agriculture House Committee

I am here in behalf of the ~~1912~~ Montana CowBelles in opposition to HB 480. We are as interested in the Beef Industry as our Husbands are, fully engaged in a business of producing a product that represents the states largest industry.

As indicated in HB 480 the governor appoints the Board of Livestock and it spells out what occupations the members of the board must make their ~~livelihood~~ ^{living} from. Why bind the governor to pick one individual from each of the industries division when the 6 (six) man board has worked ~~very~~ efficiently in the many years passed.

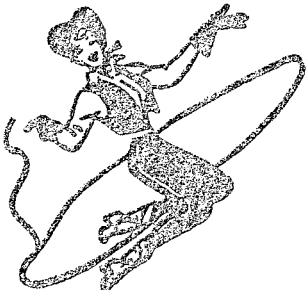
The Board of Livestock is self supporting and ~~the~~ of the funding for board comes from the stockgrowers of this state. Why change a well managed, working, organized board for the benefit of the livestock industry to add one more member to the Board.

Stockgrowers are concerned about all avenues of the livestock industry and will give due consideration to the individual divisions.

This bill states that "no more than four members shall be from the same political party". There is no need for political bias on this board, just knowledgeable members be appointed to serve on the board.

In conclusion the women of our livestock industry are informed of this legislation and we ask this committee to give this HB 480 a "do not pass" vote.

Mrs. Robert K. Burns (R.T.)
Legislative Chairman
Montana CowBelles



BEST COPY
AVAILABLE

NAME

Wm. B. Ross

Bill No. _____

ADDRESS

Camden, N.J.

Date _____

WHOM DO YOU REPRESENT? Self

SUPPORT _____

OPPOSE X

AMEND _____

PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

Wm. B. Ross present ref. my
is very good. Leave it as
it is.

BEST COPY
AVAILABLE

NAME Burton B Brewster Bill No. 487
ADDRESS Birney Date Feb. 6, 1971
WHOM DO YOU REPRESENT? _____
SUPPORT _____ OPPOSE Oppose AMEND _____
PLEASE LEAVE PREPARED STATEMENT WITH SECRETARY.

Comments:

It is my feeling that the Board as now
constituted has functioned in a very
satisfactory manner throughout the years
and I urge you to vote NO on
H.B. 450.

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REVENUE SOURCES AND AMOUNTS TO THE DEPARTMENT OF LIVESTOCK
Fiscal Year 1974

I. FROM PRODUCERS AND OTHERS

	Special Levies	Inspection Fees(2)	Licenses	Subtotal	Percent
Beef Cattle.....	\$815,102	\$337,182		\$1,152,284	92.42
Dairy Cattle.....	13,860	5,733		19,593	1.57
Sheep.....	29,150			29,150	2.34
Horses.....	17,523	7,249		24,772	1.99
Swine.....	5,898			5,898	.47
Poultry, etc.....	2,393			2,393	.19
Dealers.....			\$10,630	10,630	.85
Auction Yards.....			1,800	1,800	.14
Hide Dealers.....			145	145	.01
SUBTOTAL.....	\$883,926	\$350,164	\$12,575	\$1,246,665	

II. NOT ALLOCABLE

Fees(New brands, security agreement filings).....	\$ 50,017
Sales(Furs, estrays, etc.).....	39,332
Interest(re-recording fund).....	21,882
Miscellaneous.....	435
SUBTOTAL.....	\$111,666

III. GENERAL FUND..... \$235,267

GRAND TOTAL..... \$1,593,598

Note:

- (1) 78.2% of the revenue comes directly from producers, etc. 7% comes from producers and others and cannot be allocated as to type of producers. 14.8% comes from the general fund.
- (2) The allocation of inspection fees is based on the special levies collected from the producers involved.

SECTION 10 LIVESTOCK DEPARTMENT REVENUE COMPARED TO
TOTAL LIVESTOCK INCOME AND TOTAL ASSESSED VALUATION

	<u>%</u>	<u>Total Cash Receipts</u>		<u>Revenue Supporting Lvst. Department</u>	<u>%</u>	<u>Assessed Value</u>	<u>%</u>
(Cattle & Calves	83.81	472,728,000)	491,434,000	828,961.72	95.63	306,091,938	97.61
(Dairy	3.32	18,706,000)					
(Sheep	2.81	15,842,000)	23,965,000	29,150.45	3.40	4,882,040	1.50
(Wool	1.44	8,123,000)					
Hogs	5.65	31,864,000		5,897.95	.69	1,889,443	.60
(Eggs	1.87	10,221,000)	10,570,000	2,393.37	.28		
(Chickens		349,000)					
(Honey		3,288,000				715,227	.23
(Other		2,894,000					
		<u>\$564,015,000</u>		<u>856,403.40</u>		<u>313,578,648</u>	

McKay

certification programs. If we wanted our bees to be certified, we would probably have to do it ourselves. Another problem, on line 24 -- there are many parasites and pathogens related to this bee which are very common. This part of the bill says that they cannot have any; which is not reasonable or feasible. There are several grammatical errors also; the proper name is the alfalfa leafcutting bees, and the proper scientific name is also different.

There were no opponents to this bill. Questions followed. With amendments, Mr. Kissinger feels that the bill would be workable. This bee really helps seed production.

Rep. Conroy moved that House Bill No. 479 be put in subcommittee for further study. Rep. Smith seconded the motion; motion carried unanimously.

The committee then went into executive session to act on the following bills:

House Bill No. 338. Rep. Murphy moved, Rep. Smith seconded, that the bill Do Pass. Motion carried, with Rep. Gunderson opposed.

House Bill No. 480. Rep. Murphy proposed some amendments. Rep. Ellerd was opposed to the amendments. Rep. Murphy then moved that the bill Do Pass As Amended. Rep. Smith seconded the motion. Motion failed, see roll call vote. Rep. Hageman then moved Do Pass; Rep. Ellerd seconded. Motion carried; see roll call vote.

Rep. Murphy moved that House Bills No. 200 and 398 be put in a subcommittee. Rep. Gunderson felt that the two bills were not alike enough and a subcommittee would be ineffective and that one or the other should be passed out of committee. Question was called for; motion failed, see roll call vote. Rep. Gunderson then moved that House Bill No. 398 be amended as Rep. Stoltz had proposed, and As So Amended Do Pass. Rep. Hubing made a substitute motion that the bill As Amended Do Not Pass. Discussion followed. The substitute motion failed; see roll call vote. The original motion was then voted on and carried; see roll call vote.

Rep. Hageman then moved to put House Bill No. 200 in a subcommittee. Motion carried unanimously, after discussion. Reps. Hubing, Murphy, and Gunderson were appointed.

Rep. Conroy moved House Bill No. 431 be tabled. Motion carried unanimously.

Rep. Gunderson moved that the action on House Bill No. 479 be reconsidered. Motion carried unanimously. Rep. Bengtson then moved that it Do Not Pass, Rep. Smith seconded the motion; motion carried unanimously.

The meeting was then adjourned.

Respectfully submitted,

Debbie Schara
Debbie Schara - Secretary

James F. Fleming, Jr.
James F. Fleming, Jr. - Chairman

COMMITTEE

[illegible]

SENATE COMMITTEE

ON

AGRICULTURE, LIVESTOCK AND IRRIGATION

Minutes

March 14, 1975

The meeting of the Agriculture, Livestock and Irrigation Committee was called to order by Chairman Graham on the above date in Room 415 of the State Capitol Building.

ROLL CALL: All members were present.

The following witnesses were present to testify:

Representative Aageson
Burton Ginther - Dept. of Agriculture
Jim Morrison - Cenex
Trevor Mangoid - Con Agra
Representative Ellerd
Clyde Jarvis - Montana Farm Union
Robert Ward - National Farmers Organization
Al Dougherty - Montana Dairy Associations
Representative Tom Hager
Everett Snortland - Montana Farm Bureau
Gene Donaldson - Montana Pork Council
Earl Britton - Montana Markets Association
A.C. Ellison - Rancher
Mark Clemon - Rancher
Mel McDowell - Rancher
Milo Todd - Darigold
Bob Barthelmess - Board of Livestock
Mons Tiegen - Montana Stockgrowers
Walter Cornwell - Glasgow, Montana
John Bacus - Rancher
Martin Carey - Boulder - rancher
John Pau - Montana Woolgrowers Association

CONSIDERATION OF HOUSE BILL 678:

Rep. Aageson said this bill will revise and update the fertilizer law. He said it had been approximately 14 years since any changes have been made.

Burton Ginther, Department of Agriculture, said the department has experienced difficulty in dealing with certain products. This will help provide better data of where fertilizer is being used in the state. He said there were some proposed amendments to this bill which are attached #1.

Jim Morrison, Cenex, said he felt this was a workable bill and will provide protection for the farmer. We feel by updating the present law it will be more in line with the national fertilizer law.

Travor Mangoid, Con Agra, said he agreed with the other testimony that had been given. He said this would make a more effective law. This will put more burden on the present retailer, but they felt it was a burden they were willing to accept.

CONSIDERATION OF HOUSE BILL 480:

Representative Ellerd, District #75, said he was the sponsor of the bill. He felt it was in the best interest of the livestock owners in the state. He explained the duties that the board has and went through the bill. He said he had some proposed amendments to the bill, see exhibit 2. He said that the people in these industries who come under the board should have representation on the board.

Clyde Jarvis, Montana Farmers Union, said they were in full support of this bill. He said this would give representation to the livestock producers and all segments of the industry should be represented. He felt the board could be more effective with more representation.

Robert Ward, National Farmers Organization, said he felt the purpose of the board was to promote livestock in the state. He felt all segments of livestock should be represented in the board. He said it was not the intent of the bill to put the board down but to encourage support and more representation. He said the present board as it now stands is not representing all parts of the livestock industry.

Al Dougherty, Montana Dairymen Association, said they have had nothing but good relations with the board. This bill represents what they consider improvements in the philosophy of the industry.

Representative Tom Hager, Montana Egg Council, said his industry was in full support of this bill.

Gene Donaldson, Montana Pork Council said they were in support of the bill. He said as the law is now only those people who are cattle, horse, or sheep producers can be on the board. He said when the law was written there probably was much pork production in the state, but now it is a 32 million dollar industry in the state. They now feel they need representation on the board.

Everett Snortland, Farm Bureau, spoke next in support of the bill. His testimony is attached. See exhibit 3.

Earl Britton, Montana Markets Association, he said the main problem he saw between the board and the markets was the lack of communication. He said most of the board knew very little about the running of markets. He said the markets have given alot to the industry and they work closely with the livestock producers. He felt the market people could give a lot of valuable input into the board.

A.C. Ellison, rancher, said it appears to him that the entire industry is in need of balance and he felt this bill will

give representation to various segments of the industry that are needed. He said the livestock commission has a great deal of power and he felt the small individual should be given some consideration.

Mark Clemon, Wisdom, rancher, said the ranchers do alot of business with markets and order buyers and felt they needed more representation through them.

Mel McDowell, Wisdom, said he supported H.B. 480 and thought it was a fair bill.

Milo Todd, Darigold, said their industry puts 40 million into the Montana economy. He felt their industry with all the inspections of milk that have to be done should have representation. He submitted a sheet of statistics #4.

Bob Barthelmess, a member of the board of livestock, spoke next as neither an opponent or proponent. His testimony is attached. See exhibit 5.

Next the opponents of the bill were heard from.

Mons Teigen, Montana Stockgrowers, showed the committee a chart of statistics of the total livestock income, attached #6. He said none of the proponents had testified that the board had been negligent of any segment of the industry. He said the amendments that had been made improved the bill considerably.

Walter Cornwell, from Glasgow, testified next. See exhibit 7.

John Baucus, rancher , said he felt this bill had been introduced because someone had felt disadvanted by the board. He felt by passing this bill it would be opening the door to letting anyone on the board, and then he said it would probably become an independent agency.

John Pau, Montana Woolgrowers, said they have 2500 members. He felt at this time the sheep producers probably have more direct relations with the board than any other segment of the industry.

A letter from the Montana Cattlements Association is attached. See exhibit #8.

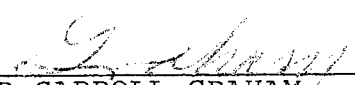
Representative Ellerd said he had talked with Dick Gardner, Western Montana Stockmen Association who had opposed the bill in the house and with the amendments they would support the bill. He said the markets have tried for about 10 years to get some one on the board. He felt the Montana Stockgrowers have had a great deal to say about the makeup of the board.

Mons Teigen, said his association had suggested a market operator for the board to the Governor who is now considering the appointments of two positions. He said Earl Britton was the man they had suggested.

DISPOSITION OF HOUSE BILL 678:

Senator Manley moved that House Bill 678 BE CONCURRED IN.
Seconded by Senator Aber. Senators Foster and Conover voting
No. Motion carried. Senator Kolstad absent.

The meeting was then adjourned.



SENATOR CARROLL GRAHAM
Chairman

#2

STANDING COMMITTEE REPORT

Mr. _____

We, your committee on _____
having had under consideration House Bill No. 480, respectfully
report as follows: That House Bill No. 480, third reading bill,
be amended as follows:

1. Amend page 2, Section 1 (2) (d), line 9
Following: "is a"
Insert: "cattle and"
2. Amend page 2, Section 1 (2) (d), line 9
Following: "producer"
Insert: ", appointed at large"
3. Amend page 2, Section 1(2) (e), line 10
Following: "is"
Strike: "an independent livestock feeder"
Insert: "a cattle producer, appointed at large"

#3

TESTIMONY ON HOUSE BILL 480
SENATE AGRICULTURE COMMITTEE
Room 415, 9:30 a.m., Friday, March 14, 1975

Mr. Chairman, Members of the Committee, my name is Everett Snortland. I am the Executive Legislative Director for the Montana Farm Bureau Federation. I am here this morning for the purpose of supporting HB 480.

Suffice to say, it has had its controversy during its legislative career and perhaps with legitimate reason. It is our understanding the most controversial portions have been or are in the process of being amended and in the final analysis, will be compatible to all concerned. We see nothing wrong with increasing the size of the committee nor do we see any reason for not allowing more than just cattle producers to be seated on the commission. We feel as though the cattle industry by virtue of contributing the largest amount towards the items that are under the jurisdiction of the Board of Livestock should have the largest representation and, therefore, would support the addition of two cattle producers on any equitable way that seems feasible.

There certainly is reason for the livestock industry definition to be broadened to include swine and sheep, etc., and would support the inclusion of those segments of the industry on the Board. Perhaps this is the only way, in the final analysis, to avoid creating more boards and bureaus to administer the regulations which have been or will be promulgated for the other segments of the livestock industry.

Mr. Chairman, Members of the Committee, we are in support of HB 480 and would encourage your adopting the bill.

25

24

STATE OF MONTANA

1. 17 Plants (Industry)
2. 10 Producer Distributors
3. 52 Jobbers
4. 303 Grade a Dairy Producers
5. 20,464 Grade A Cows
6. 224,986,950.00 lbs. Grade A Milk
7. Above worth \$19,551,366.00 at Farm
8. Over \$40,000,000.00 Industry Wide

Manufacturing milk (cheese and butter) not included above.

AGRICULTURE RATING IN ORDER
OF VALUE TO STATE OF MONTANA

1. LIVESTOCK
2. WHEAT
3. DAIRY
4. Etc...
5. Etc...

MY NAME IS BOB BARTHELMESS

I AM A MEMBER OF THE BOARD OF LIVESTOCK, HAVING BEEN APPOINTED THERE FOUR YEARS AGO. HAVE SERVED ON THE CATTLE ADVISORY COMMITTEE FOR THE BOARD. WAS APPOINTED THERE IN 1964 BY THE SECRETARY OF AGRICULTURE. HAVE BEEN PRESIDENT OF MONTANA'S LARGEST LIVESTOCK ASSOCIATION. HAVE SERVED ON THE EXECUTIVE BOARD OF THE AMERICAN NATIONAL CATTLEMAN'S ASSOCIATION. AM PAST PRESIDENT OF EASTERN MONTANA'S RANGE RIDERS INCORPORATED AND AM PAST PRESIDENT OF MILES COMMUNITY COLLEGE'S BOARD OF TRUSTEES.

I TELL YOU THIS NOT TO DIRECT ATTENTION AT MYSELF, BUT ONLY IN THAT THIS EXPERIENCE MAY LEND "SOME CREDENCE," IN YOUR JUDGEMENT OF THE TESTIMONY I GIVE TO THIS COMMITTEE. IN THESE DIFFERENT SERVICES, WHICH HAVE TOUCHED MUCH IN AGRICULTURE, MY CONCERN AND JUDGEMENT HAS BEEN BASED ON ONLY WHAT I THOUGHT WAS BEST FOR THOSE I SERVED AND IN ITS FAIRNESS TO ALL OTHERS. IN THIS CAPACITY, I HAVE NOT BEEN MOVED BY ANY PREDJUDICIAL GROUP, AM SUBSERVIENT TO NO SERVICE ORGANIZATION, OR POLITICAL PARTY AND HOLD ALLEGIENCE ONLY TO WHAT DIRECTS ITSELF AS BEST FOR COMMUNITY, STATE, AND COUNTRY. IT IS IN THIS VEIN, THAT I COME HERE, AS A CITIZEN OF OUR AGRICULTURAL COMMUNITY, NOT TO PRESENT VOLUMINOUS STATISTICAL DATA, BUT TO SPEAK MOSTLY OF "PRINCIPLE AND CONSCIENCE," IN THIS INSTANCE AND ON THIS BILL.

but to attempt to clear the air,
FIRST AND NOT REFLECTING ILL FEELING AT THE ALSO ACCUSED, I WISH TO REPUDIATE AN ALLEGATION MADE PREVIOUS TO THIS HEARING, THAT THE BOARD OF LIVESTOCK, IS A CLICK OF THE M.S.G.A.. THIS RELEASE, GIVEN WIDE SPREAD STATE CIRCULATION, WAS NOT A FEATURED FACT, CIRCUMVENTS THE TRUTH, AND WAS USED TO EXPLOIT OTHER MATTERS OF ORGANIZATIONAL

AND HONEST CONSIDERATION OF THIS BILL. IT'S REASON WAS WRONG, AND IT
UNJUSTLY AND RECKLESSLY DEFAMES THE ACTUAL HERITAGE AND PERFORMANCE
INTEGRITY OF THE BOARD NAMED IN THIS PIECE OF LEGISLATION.

THREE MEN WITHIN THE LAST FORTY YEARS, HAVE SERVED AS AN OFFICER OF
THE M.S.G.A. AND ALSO AT SOMETIME ON THE BOARD OF LIVESTOCK. TWO
PREVIOUS TO BEING ELECTED AND ONE AFTER. I KNOW ALL ABOUT HIM BECAUSE
HE'S ME.

TO FURTHER ATTEST THAT THINGS ARE BROADER THAN SELFISH, AND THAT
PROPRIETY IS VALUED WITH CAUSE, IN 1963 AND 64 I, AS MOST ANYONE ELSE
WOULD DO, MADE SEVEN TRIPS TO WASHINGTON D.C. WORKING FOR LEGISLATION
TO CURB BEEF AND MUTTON IMPORTS. I WAS THEN PRESIDENT OF THE
ASSOCIATION, BUT WENT ON MY OWN VOLITION AND WORKED NOT ONLY FOR THOSE
HOLDING MEMBERSHIP CARDS BUT EQUALLY SO FOR EVERY FAMILY WHO OWNED A
COW OR SHEEP IN MONTANA. I CARED NOT THAT MY NEIGHBOR BELONGED TO THE
FARMER'S UNION, FARM BUREAU, OR ANY OTHER ORGANIZATION. HE WAS JUST
AS IMPORTANT TO ME AS ANYONE ELSE. I THINK IT'S A TRAGIC STATE OF
AFFAIRS, ^{who worked} ~~WORKING~~ THOUGH, WHEN ANYONE ~~WORKING~~ FOR THE LEGITIMATE CAUSE OF HIS
OWN INDUSTRY IS BLACKBALLED BY BEING ACCUSED OF BATHING IN ^a MYTHICAL
BLOOD IMPAIRING ALL OTHER VISION.

WHAT I'M TRYING TO SAY, IS, THAT IF WE HAVE A CONSCIENCE, AND ARE IN
A POSITION OF SOME INFLUENCE, DIFFERENCES ON OTHER MATTERS ARE
NEUTRALIZED IN QUEST FOR THE COMMON GOOD. TO ALLOW ULTERIOR MOTIVES
HERE TO OVER-RUN REALITIES IN SEEKING PRIVILEGED GAIN, IS UNJUST AND
SHOULD BE VAILED AS FAULT. MY FEELINGS IN THIS RESPECT AND MY CONCERN
IN JUDGING, FOR WHATEVER, HAVE BEEN GARNERED FROM AN INHERANT REGARD
FOR THE GREATNESS IN FARMERS AND STOCKMEN, AND ALL OTHERS, WHO HAVE

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THEREFORE, THAT THIS BILL WILL BE CONSIDERED AND ITS ULTIMATE DISPOSITION EXERCISED ON ITS MERITS TO THE REGULATORY POSITION IT RELATES TO.

IN LOOKING AT THE BILL, I HOLD SPECIAL CONCERN IN THAT I HOPE THE REASON FOR SUBMITTAL IS BASED ON AN HONEST INTENT, BACKED BY CONSTRUCTIVE THOUGHT, THAT SUCH A CHANGE IS NECESSARY. IF SURE EVIDENCE REVEALS THAT THE BOARD DOWN THROUGH THE YEARS HAS FAILED IN ITS PURPOSE, THEN A CHANGE SHOULD BE FORTHCOMING. UNDER NO CIRCUMSTANCES, THOUGH, CAN I SEE ITS RENOVATION IF THE LEGISLATIONS REASON AND SUPPORT IS BASED ON A DISLIKE FOR, OR A CONFLICT WITH SOME PERSONNEL, HAVING SERVED ON OR NOW RESIDENT ON THE BOARD OR IN THE DEPARTMENT. INCIDENTAL, SEGMENTARY, AND PREDJUDICIAL BIAS HOLDS LITTLE DISTINCTION, I THINK, WHEN SOMETHING COMMANDING SUCH A SUCCESSFUL HISTORY, IS CONCERNED.

THOMAS JEFFERSON SAID, YOU REMEMBER, "THAT THE STRENGTH IN OUR SYSTEM RESTS IN THAT WE HAVE A GOVERNMENT OF LAWS AND NOT OF PEOPLE". DO WE ALSO ADVOCATE CHANGING THE EXECUTIVE BRANCH OF OUR FEDERAL GOVERNMENT BECAUSE OF WHAT'S HAPPENED TO PERSONNEL THERE IN THE LAST TWO YEARS?
Though there is no similarity of examples
THERE IS SIGNIFICANCE AND SERIOUS CONSEQUENCES TO BE WEIGHED HERE, IN THIS INSTANCE, I THINK.

PLEASE, MR. CHAIRMAN, CONSIDER THAT ABOUT NINETY PER CENT OF THE FUNDING THAT SUPPORTS THE DEPARTMENT COMES FROM SPECIAL MILL LEVIES ON LIVESTOCK. THESE ARE EAR-MARKED MONEYS PAID BY PRODUCERS AND INTRUSTED TO THE BOARD, TO EXPIDITE THEIR PROTECTIVE MEASURES IN BRAND ENFORCEMENT AND ANIMAL HEALTH. THESE PEOPLE ARE GRANTED MINIMAL GENERAL GUND HELP YET EXPEND MOST OF THEIR ACRIGATE IN THE INTEREST OF THE PUBLIC GOOD. THERE ARE 18,000 SUCH PRODUCERS CWNING 3,400,000 HEAD OF CATTLE IN MONTANA YET THIS BILL CALLS FOR ONLY A 28% REPRESENTATION ON THE AUTHORITY UTILIZING THAT MONEY.

WHERE IN THIS COUNTRY, IN ANY AREA OF FINANCE, FOR ANY PURPOSE, DOES THE FINANCES GET THAT KIND OF INCONSIDERATION AND ILL TREATMENT. WHEN THE FEDERAL GOVERNMENT ALLOCATES MONEY TO THE STATES THE SET OF ACCOMPANYING REGULATIONS TAKES AWAY EVEN YOUR BIRTHRIGHT, WHEN THE BANK EXTENDS ITSELF, THEY CLAIM YOUR SOUL, EVEN WHEN, DAD LENTS YOU FIVE¹, WHO CALLED THE SHOTS, BUT IN THIS INSTANCE THE BEEF PRODUCER IS BEING SHORT CHANGED, GIVEN ONLY "TOKEN SAY" IN HIS FAIR SHARE OF JURISDICTION.

INTENDING NOT TO BACKBITE NOR TO CARRY PROVOCATION TOWARD OTHER INDUSTRIES RECEIVING RECOGNITION IN THE PROPOSED MEASURE, I FEEL COMPELLED TO POINT OUT THAT PORK PRODUCERS WOULD GET 14% OF THE AUTHORITY, SHEEP PRODUCERS WOULD GET 14%, DAIRYMEN WOULD GET 14%, INDEPENDENT FEEDERS WOULD GET 14%, AND AUCTION MARKETS WOULD GET 14%. THIS IS A TOTAL OF 72% OF THE OVER-ALL AUTHORITY ON THE BOARD OF LIVESTOCK, YET *with all of the states other taxpayers* THEY WOULD FINANCE/LESS THAN 10% OF THE DEPARTMENTS TOTAL BUDGET. THE BEEF PRODUCER LOST MORE MONEY LAST YEAR THAN IN ANY SINGLE YEAR IN HIS HISTORY, HIS TAXES HENCE WERE PROHIBITIVE AND YET HERE WE ARE CONSIDERING DEPRIVING HIM OF EVEN MORE, HIS JUST INFLUENCE ON DECISIONS IN THE EXPENDITURE OF SELF IMPOSED REGULATORY ASSESSMENT AND FINANCE.

I THINK THE LEGISLATION IS ALSO TOO RESTRICTIVE WITH REGARD TO THE GOVERNOR'S OPTION IN HIS CHOICE FOR APPOINTMENTS IN CERTAIN RESPECTS. 2500 PORK PRODUCERS WILL RECOMMEND ONE BOARD MEMBER, 2100 WOOL GROWERS WILL RECOMMEND ONE, 388 DAIRYMEN WILL RECOMMEND ONE, 125 INDEPENDENT FEEDERS WILL RECOMMEND ONE, 18 AUCTION MARKETS WILL RECOMMEND ONE AND THOSE 18,000 BEEF PRODUCERS WILL RECOMMEND BUT TWO. THIS MEANS THAT FIVE WILL COME FROM ABOUT 5,000 POSSIBLE SELECTRES, GUARANTEED TO SERVE BY LAW, AND THE OTHER TWO WILL COME FROM NEARLY FOUR TIMES THAT MANY. IT ALSO MEANS THAT BY ^{these} ₄ RECOMMENDATIONS EACH RELATED INDUSTRY WILL,

IN A SENCE, BE MAKING THEIR OWN APPOINTMENTS, CONTINGENT UPON THE CONSENT OF THE GOVERNOR AND THE SENATE. THESE ARE SERIOUS AND INJURIOUS, DISCREPENCIES, I FEEL.

IF THE CONSIDERATION, THAT THE BOARD HAS GIVEN IN AUDIANCES TO THE PORK PEOPLE, WOOLGROWERS, POULTRY AND DAIRY INTEREST AND THE FEEDER AND BUCKLE MARKETS, AND ITS PAST PERFORMANCE ENFORCING THE LIVESTOCK LAWS AND REGULATIONS OF THIS STATE DOES NOT SUSTAIN REASON FOR ITS PRESENT FORM, THEN THERE SHOULD BE ALTERNATIVES. SINCE I'VE BEEN ON THE BOARD WE'VE MET WITH ALL OF THESE PEOPLE EXCEPT, MAYBE THE DAIRY INTEREST, I THINK. WE'VE TAKEN OFFICIAL ACTION SO THAT OUR MINUTES WOULD GO TO THEIR RESPECTIVE OFFICES AND WE'VE TRIED TO BE DEMOCRATIC AND DELIBERATE, IN FAIRNESS TO THEIR PROBLEMS. IN ALL HONESTY, I'VE NOT HEARD ONE ADVERSE STATEMENT MADE BY A BOARD MEMBER AGAINST ANY OF THE BASIC AGRICULTURE INDUSTRIES IN MONTANA, SINCE I'VE SERVED THERE. ACTIONS, *occasionally* ~~SOME~~ *sometimes* HAVE BEEN CRITICIZED BY INCONVENIENCE BUT DISCOMFORT, AS WELL AS PROTECTION ACCOMPANY'S REGULATION. THE COURSE OF THE LEAST RESISTANCE SELDOM ~~PROVES~~ *succeds* ~~over~~ ITS EASYNES.

MR. CHAIRMAN, SHOULD THIS COMMITTEE IN ITS WISDOM, FEEL ~~THE~~ *there is mandatory need* NECESSITY OF CHANGE, I WOULD SUBMIT THE FOLLOWING CONSIDERATIONS.

1. I WOULD NOT BE ADVERSE TO A SEVEN MEMBER BOARD. OUR POLICY HAS BEEN TO GIVE OUR CHAIRMAN THE VOTING PRIVILEGE ON ALL MOTIONS. THIS HAS RESULTED IN SEVERAL TIE VOTES. A SEVEN MEMBER BOARD WOULD ELIMINATE THIS PROBLEM GENERALLY AND ITS RESULTING CONFUSION AND INTERPRETATION.
2. I WOULD PROPOSE THAT TWO MEMBERS, IN PREFERENCE TO ONE, BE CHOSEN FROM EACH CONGRESSIONAL DISTRICT REPRESENTING THE BEEF PRODUCING INDUSTRY. THIS WOULD SUBMIT DESIRED GEOGRAPHICAL DISTRIBUTION AND MORE IMPORTANTLY WOULD GIVE THEM A MAJORITY ON THE BOARD, WHICH WOULD MORE FAIRLY COVER THE INVESTMENT OF THEIR CONSTITUENTS.

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TO REDUCE PREVIOUSLY STATED APPOINTMENT RESTRICTIONS, THAT THE THREE REMAINING MEMBERS SHOULD BE CHOSEN FROM THE OTHER FIVE AREAS: PORK, SHEEP, DAIRY, FEEDERS AND AUCTION MARKETS. THE BALANCE DESIRED BY THE LEGISLATIONS AUTHOR, WOULD THEN BE HONORED, AND I THINK ADEQUATELY SO.

4. UNDER GOVERNMENT REORGANIZATION OUR CHIEF EXECUTIVE WAS GIVEN THE AUTHORITY TO APPOINT THE BOARDS CHAIRMAN. I FEEL HOWEVER THAT ANY GROUP OR ORGANIZATION IS QUALIFIED AND SHOULD BE ALLOWED TO SELECT THEIR OWN. I SUPPORT A BOARDS PREROGATIVE THEN IN ELECTING THEIR OWN CHAIRMAN, BUT WOULD NOT OPPOSE THE GOVERNOR'S OPTION ON THIS MATTER.

I WANT TO CONCLUDE MY REMARKS NOW WITH A BRIEF SUMMARY OF MY SOLEMN CONVICTIONS ON THIS PIECE OF PROPOSED LEGISLATION. I POINT OUT AGAIN, THAT I SPEAK FOR MYSELF SPECIFICALLY BUT GENERALLY FOR MANY OTHERS I KNOW. PRINCIPLE HERE SHOULD BE CONSIDERED HEAVILY.- EFFORTS FOR SUPPORT SHADOWED BY OTHER AND ULTERIOR REASONS HAVE LITTLE PLACE IN THESE DELIBERATIONS - THE INTENT IN SUBMITTAL SHOULD MOST CERTAINLY HAVE BEEN BASED ON CONSTRUCTIVE FOUNDATION - IF IT IS TO BECOME LAW, INEQUITIES MUST BE CORRECTED - AND THE FINAL DETERMINATION, MUST, AT YOUR PLEASURE, BE LAMENATED IN PURPOSE AND DEDICATED TO PROGRESS AND ~~help~~ help.

EXCLUSIVE OF MY OWN INVOLVEMENT, IT SEEMS QUITE EVIDENT AND A SOLID TRIBUTE TO THE MEN, WHO ON MARCH 12, 1885 WERE CHARGED, AS A COMMISSION, WITH THE LIVESTOCK INDUSTRIES TRUST, THAT THIS LEGISLATIVE PROPOSAL DID NOT EMANATE FROM DEEP WITHIN THE RANKS OF THAT INDUSTRY. THIS HOLDS DISCLOSURE, HOWEVER GREAT, IT REVEALS AND IT APPLIES. IT MEANS THAT THE PERSONS APPOINTED "THROUGH TIME" HAVE HONORED THEIR OATH, SWORN TO THE LARGEST GROUP OF PRODUCTIVE PEOPLE IN MONTANA. IT MEANS THAT MONTANA CAN AND HAS MET THE MOST DIFFICULT OF OCCASIONS. THAT INDEPENDENCE SO PRESSURED TODAY, CAN SERVE AND SURVIVE, WITHIN AN EMERGENCY, WHEN THERE IS TRUST, COOPERATION, AND MUTUAL RESTRAINT AND

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IT ALSO MEANS THAT CONSCIENCE HAS BEEN ADDED TO IN THE EXERCISE OF
DUTY TO DUTY AND COUNTRY.

ON AMERICANS ARE SELDOM PUT ON THE LINE, AS WITNESSED HERE, TODAY, AND NOW.
"IT'S BETTER TO SERVE THE RIGHT THAN TO SIT WITH THE MIGHTY". ALJIN
DARLEY SAID IT, BUT DOESN'T IT APPLY.

#6

SPECIE CONTRIBUTION TO LIVESTOCK DEPARTMENT REVENUE COMPARED TO

HB 480

TOTAL LIVESTOCK INCOME AND TOTAL ASSESSED VALUATION

	<u>%</u>	<u>Total</u> <u>Cash Receipts</u>		<u>Revenue</u> <u>Supporting</u> <u>Lvst. Department</u>	<u>%</u>	<u>Assessed</u> <u>Value</u>	<u>%</u>
(Cattle & Calves	83.81	472,728,000)	491,434,000	828,961.72	95.63	306,091,938	97.61
(Dairy	3.32	18,706,000)					
(Sheep	2.81	15,842,000)	23,965,000	29,150.45	3.40	4,882,040	1.50
(Wool	1.44	8,123,000)					
Hogs	5.65	31,864,000		5,897.95	.69	1,889,443	.60
(Eggs		10,221,000)	10,570,000	2,393.37	.28		
(Chickens	1.87	349,000)					
(Honey		3,288,000)				715,227	.23
(Other		2,894,000)					
		<u>\$564,015,000</u>		<u>856,403.40</u>		<u>313,578,648</u>	

34

My name is WALTER CORNWELL. I am a cattle rancher from Glasgow, Montana. I am appearing in opposition to House Bill 480.

I do this because of my concern for the well-being of Montana's beef cattle industry which I feel is being placed in a position of jeopardy by House Bill 480's proposed changes in the make-up of the Board of Livestock.

My position is admittedly one of self interest - my family's well being is entirely (100%) dependent upon the cattle business for its livelihood. I feel my position on House Bill 480 is thus absolutely sincere and as unbiased as my continued prosperity dictates.

The Board of Livestock's two primary functions are vigilance over the health of Montana cattle and the responsibility for procedures insuring protection from theft and safe and proper marketing procedures.

Montana has achieved a position of enviable national prominence in both of these areas under the guidance and direction of its heretofore cattle producer dominated Board of Livestock.

I submit that Montana's position of excellence was achieved because, and ONLY BECAUSE, of the wisdom in directing of this board of livestock producers, making necessary decisions affecting cattle health and brand laws. Their decisions were motivated not be convenience of the moment. Not by political popularity. Not by short-term pressures from single segment industry propositions. But rather from a sincere knowledgeable understanding of long-term achievable goals of what was best for Montana's livestock industry.

Now you are being asked to completely change the make up of this Board of Livestock which has served the industry so well.

You are being asked to approve the dilution of the Board of Livestock from 100% beef cattle oriented to one composed of the various segments of the livestock industry - sheep, pork, dairy and yes, even a request from a service arm of the Auction Market Operators.

Montana Beef Cattle numbers - 3,340,000

Dairy cattle numbers - 28,000

Sheep numbers - 770,000, down 3%

Pork - 190,000

Why this request now?

I believe rather that this request comes not directly from the dairy, sheep and pork producers, rather from the author of House Bill 480 - who in order to make more palatable the questionable addition of a seat on the Board for service industry - that of the market operators - have broadened the base.

I have no quarrel with Montana market operators. We sell 100% of our ranch's cattle production through the Glasgow Auction Yard. I approve of the Auction Yards sheltered competitive position of public convenience and necessity of limiting the number of yards in the state. Believing that we must have strong, high volume markets if we are to have good marketing opportunities here at home. I do question the advisability of elevating any service segment of the livestock industry to a position of decision making prominence on the Board of Livestock.

Is it advisable to move the governed into a position of governing? i.e. Should we transfer direct decisions as to whether or not Montana has additional Livestock Auction yards to one already engaged in that sheltered endeavor? Can the cattle business risk its very existence in the areas of disease control to those who do not have a direct 100% involvement in herd health control measures,

but rather are more concerned with the ramifications of those necessary control measures as they affect their business of serving the industry? How can you justify a seat for the markets and not also provide a seat for say the slaughter houses and meat packers or the hatcheries or egg processors?

It is my belief that the cattle industry of Montana will be better served if the present make up of the Board of Livestock is preserved. I would urge defeat of House Bill 480. If not then amendments to assure the Board continue to be composed of bona-fide livestock operators with the majority of such board to be cattle producers in view of their much greater contribution to funding the department, as well as the greater contribution to total livestock revenue for the state.

#9

MONTANA CATTLEMEN'S ASSOCIATION
Powderville Stage
Miles City, MT 59301

March 13, 1975

Senator Carroll Graham and Members of the Committee:

Reference to HB-480, during the last meeting with the Board of Directors of the Montana Cattlemen's Association, we decided to try and amend the Bill as follows:

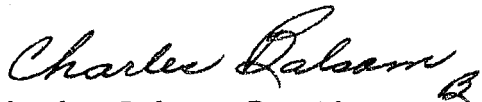
Of the seven members, five must be beef cattle producers, the other two may be from any other segment of the live-stock industry including swine, sheep, dairy. These two would be left to the Governor's discretion.

Also, we felt that not more than four from any one political party should be deleted from the Bill. We feel that it is difficult enough to get qualified people on the Commission without having to worry about politics.

Also, the Chairman of the Board must be chosen by the Governor.

We hope you will consider these amendments so that we can support this Bill.

Thank you for your consideration.


Charles Balsam, President
Montana Cattlemen's Association

REVENUE SOURCES AND AMOUNTS TO THE DEPARTMENT OF LIVESTOCK
Fiscal Year 1974

I. FROM PRODUCERS AND OTHERS

	Special Levies	Inspection Fees (2)	Licenses	Subtotal	Percent
Beef Cattle.....	\$815,102	\$337,182		\$1,152,284	92.42
Dairy Cattle.....	13,860	5,733		19,593	1.57
Sheep.....	29,150			29,150	2.34
Horses.....	17,523	7,249		24,772	1.99
Swine.....	5,898			5,898	.47
Poultry, etc.....	2,393			2,393	.19
Dealers.....			\$10,630	10,630	.85
Auction Yards.....			1,800	1,800	.14
Hide Dealers.....			145	145	.01
SUBTOTAL.....	\$883,926	\$350,164	\$12,575	\$1,246,665	

II. NOT ALLOCABLE

Fees (New brands, security agreement filings).....	\$ 50,017
Sales (Furs, estrays, etc.).....	39,332
Interest (re-recording fund).....	21,882
Miscellaneous.....	435
SUBTOTAL.....	\$111,666

III. GENERAL FUND.....\$235,267

GRAND TOTAL..... \$1,593,598

Note:

- (1) 78.2% of the revenue comes directly from producers, etc. 7% comes from producers and others and cannot be allocated as to type of producers. 14.8% comes from the general fund.
- (2) The allocation of inspection fees is based on the special levies collected from the producers involved.

SENATE COMMITTEE

ON

AGRICULTURE, LIVESTOCK AND IRRIGATION

Minutes

March 19, 1975

The meeting of the Agriculture, Livestock and Irrigation Committee was called to order by Chairman Graham on the above date at 7:00 p.m. in Room 415 of the State Capitol Building. The meeting was called for the purpose of executive action.

ROLL CALL: All members were present.

DISPOSITION OF HOUSE BILL 480:

Senator Jergeson moved to amend the bill, see first six amendments committee report attached. Motion was seconded by Senator Galt. Motion carried by a roll call vote of 8 to 3. Senators Boylan, Kolstad and Graham voting NO.

Senator Jergeson said if there was a market producer on the board it would them an advantage and he also felt it would be direct vertical integration.

Senator Foster moved to amend the bill page 2, line 22 following "82A-112" by striking (1) and inserting (7). Seconded by Senator Conover. Motion carried.

Senator Kolstad moved to reinsert the stricken language on page 2 line 16 and to strike the underlined material. Seconded by Senator Galt. Motion carried by a roll call vote of 7 to 4. Senators Boylan, Conover, Murphy and Nelson voting NO.

Senator Manley moved that House Bill 480 BE CONCURRED IN AS AMENDED. Seconded by Senator Kolstad. Motion carried. Senator Boylan voting NO.

At this time and individual was discussed who was being considered for a position on the Board of Livestock.

CONSIDERATION OF HOUSE BILL 319:

Senator Manley had proposed amendments to the bill. His amendment would be strictly local control and if a local governing body did not want to be under the moratorium they would not be forced to do so. After more discussion it was decided to hold the bill until Friday for further study.

DISPOSITION OF HOUSE BILL 404:

Senator Jergeson moved that House Bill 404 BE CONCURRED IN. Seconded by Senator Conover. Motion carried unanimously.

SENATE COMMITTEE AGRICULTURE, LIVESTOCK & IRRIGATION

Date March 19 HOUSE Bill No. 480 Time _____

NAME	YES	NO
SEN. BOYLAN - Vice Chairman		X
SEN. ABER	X	
SEN. CONOVER	X	
SEN. FOSTER	X	
SEN. GALT	X	
SEN. JERGESON	X	
SEN. KOLSTAD		X
SEN. MANLEY	X	
SEN. MURPHY	X	
SEN. NELSON	X	
SEN. GRAHAM - Chairman		X
	8	3

Sally Watson
Secretary

Senator Carroll Graham
Chairman

Motion: Senator Jergeson moved amendments See one through 6
Committee report. Motion carried. Seconded by Senator Galt

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE AGRICULTURE, LIVESTOCK & IRRIGATION

Date March 19 HOUSE Bill No. 480 Time _____

NAME	YES	NO
SEN. BOYLAN - Vice Chairman		X
SEN. ABER	X	
SEN. CONOVER		X
SEN. FOSTER	X	
SEN. GALT	X	
SEN. JERGESON	X	
SEN. KOLSTAD	X	
SEN. MANLEY	X	
SEN. MURPHY		X
SEN. NELSON		X
SEN. GRAHAM - Chairman	X	
	7	4

Sally Watson
Secretary

Senator Carroll Graham
Chairman

Motion: Motion by Senator Kolstad to reinsert the stricken
language and Strike the underlined material. See committee
report # 7. Motion carried. Seconded by Senator Galt

(include enough information on motion--put with yellow copy of committee report.)

SENATE COMMITTEE AGRICULTURE, LIVESTOCK & IRRIGATION

Date March 19 HOUSE Bill No. 480 Time

NAME	YES	NO
SEN. BOYLAN - Vice Chairman		X
SEN. ABER	X	
SEN. CONOVER	X	
SEN. FOSTER	X	
SEN. GALT	X	
SEN. JERGESON	X	
SEN. KOLSTAD	X	
SEN. MANLEY	X	
SEN. MURPHY	X	
SEN. NELSON	X	
SEN. GRAHAM - Chairman	X	
	10	1

Sally Watson
Secretary

Senator Carroll Graham
Chairman

Motion: Motion by Senator Manley that H.B. 480 BE CONCURRED IN
AS AMENDED. Motion carried.

(include enough information on motion--put with yellow copy of committee report.)

March 20, 1975

SENATE COMMITTEE ON AGRICULTURE, LIVESTOCK AND IRRIGATION
AMENDMENTS TO HOUSE BILL NO. 480

That House Bill No. 480, third reading, be amended as follows:

1. Amend page 2, section 1, lines 6 and 7.
Following: "(b)"
Strike: "one (1) is a dairy producer representing the dairy and poultry industry"
Insert: "two (2) are cattle producers at large"
2. Amend page 2, section 1, line 8.
Following: "is a"
Strike: "swine"
Insert: "dairy"
3. Amend page 2, section 1, line 9.
Following: "is a"
Strike: "sheep"
Insert: "swine"
4. Amend page 2, section 1, line 9.
Following: "producer;"
Insert: "and"
5. Amend page 2, section 1, line 10.
Following: "is"
Strike: "an independent livestock feeder; and"
Insert: "a sheep producer."
6. Amend page 2, section 1, lines 11 through 12.
Strike: lines 11 through 12 in their entirety
7. Amend page 2, section 1, line 17.
Following: "board;"
Strike: "The board shall select a chairman from its own membership annually."
Insert: "The governor shall designate the chairman of the board."
8. Amend page 2, section 1, line 22.
Following: "82A-112"
Strike: "(1)"
Insert: "(7)"

March 25, 1975

SENATE COMMITTEE OF THE WHOLE

AMENDMENTS TO HOUSE BILL NO. 480

That House Bill No. 480, Senate Committee on Agriculture, Livestock and Irrigation Amendments, dated March 4, 1975, be amended as follows:

1. Amend amendment No. 2, insertion paragraph, line 1.

Following: "dairy"

Insert: "producer representing the dairy and poultry industry"

HOUSE BILL NO. 480

INTRODUCED BY ELLERD, CASEY, ASHER, SEIFERT, CONROY,
 SCULLY, FLEMING, HALVORSON, AAGESON, BRAND, STOLTZ,
 GUNDERSON, SIVERTSEN, STAIGMILLER, HAGEMAN, LIEN,
 FAGG, ELLISON, GUTHRIE, W. BAETH, BENGTSON,
 JOHNSTON, MANUEL, MULAR

A BILL FOR AN ACT ENTITLED: "AN ACT TO AMEND SECTION
 82A-1303, R.C.M. 1947, TO INCREASE THE MEMBERSHIP OF THE
 BOARD OF LIVESTOCK; TO PROVIDE FOR THE QUALIFICATIONS OF
 MEMBERS OF THE BOARD; TO PROVIDE FOR REPLACEMENT OF EXISTING
 MEMBERS AS THEY VACATE OFFICE; ~~TO---PROVIDE---FOR~~
~~DISQUALIFICATION-FOR-CONFLICTS-OF-INTEREST,~~ AND PROVIDING
 FOR AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 82A-1303, R.C.M. 1947, is amended
 to read as follows:

"82A-1303. Board of livestock -- composition. (1)
 There is a board of livestock.

(2) The board consists of ~~six-(6)~~ seven (7) members
 appointed by the governor with the consent of the senate. A
~~member--shall--be--a-resident-of-this-state-and-the-owner-of~~
~~cattle,-sheep,-or-horses-in-this-state.~~ Each member shall be
a resident of the state and an active livestock producer. A

member shall be appointed upon the recommendation of the
related industry and shall have the following
qualifications:

(a) two (2) are cattle producers, one (1) from each
congressional district within the state;

(b) ~~one-(1)-is-a-dairy-producer-representing-the-dairy~~
~~and--poultry-industry~~ TWO (2) ARE CATTLE PRODUCERS AT LARGE;

(c) one (1) is a swine DAIRY PRODUCER REPRESENTING THE
DAIRY AND POULTRY INDUSTRY producer;

(d) one (1) is a sheep SWINE producer; AND

(e) one (1) is an-independent-livestock-feeder,-and A
SHEEP PRODUCER.

~~(f)--one-(1)-is-a-licensed-livestock-market-operator-or~~
~~a-licensed-order-buyer-and-dealer,~~

An appointee is vested with all the powers and duties
 of his office before being confirmed by the senate, as are
 directors in section 82A-106 (2).

(3) ~~The--governor--shall-designate-the-chairman-of-the~~
~~board. The-board--shall--select--a-chairman--from--its--own~~
~~membership--annually.~~ THE GOVERNOR SHALL DESIGNATE THE
CHAIRMAN OF THE BOARD.

(4) A member shall serve for a term of six (6) years.

(5) Members of the board shall be reimbursed and
 compensated as are members of quasi-judicial boards in
 section 82A-112 ~~(1)~~ (7) (e).

1 ~~{6}--No more than four {4} members shall be from the~~
2 ~~same political party."~~

3 Section 2. A member of the board on the effective date
4 of this act shall continue in office until his term expires.
5 Upon the expiration of the term of a member, or if a member
6 resigns or otherwise vacates his office, the governor shall
7 appoint as a new member, or as a replacement, a person
8 qualified under the provisions of section 82A-1303 and not
9 then represented on the board. Each new member shall be
10 appointed for a full term and each replacement member shall
11 be appointed to fulfill the term of the member replaced.

12 Section 3. Effective date. This act is effective upon
13 passage and approval.

-End-